IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO.526 OF 2005
IN
WRIT PETITION NO.3592 OF 2004

Bal Ramchandra Muley)..Appilcant

Versus

Philips Employees Co-op. Society Ltd.)..Respondent

Ms.Preetam P.Tendulkar for the Applicant.

CORAM: SMT.NISHITA MHATRE, J.
DATED: 12TH AUGUST 2005

P.C.:

. This Civil Application seeks to withdraw an amount of Rs.72,148.50 which has been wrongly typed as Rs.78,198/- in the Civil Application. The amount was deposited by the Respondent-original Petitioner in the Writ Petition pursuant to the order of this Court dated 28th June 2004. The Respondent i.e. the Applicant herein was given the liberty to withdraw the amount on furnishing security to the satisfaction of the Registrar General within three months from the date of the order. Since the Applicant did not withdraw the amount within the stipulated time, the amount has been invested in the Bank as directed However, the Applicant has now stated that he is able to furnish security. He is in dire need of the funds as he is a paralytic patient and is 65 years of age. In these circumstances, it is prayed that the amount invested may be permitted to be withdrawn by the

Applicant.

2. In my view, since the Applicant is now able to furnish the security as averred in the Civil Application, he should be able to avail of the deposit made in the light of the reasons stated in the Civil Application.

3. The Applicant is permitted to withdraw the amount invested in the Bank together with the accrued interest within one month from today on the Applicant furnishing security to the satisfaction of the Registrar General.

4. Civil Application disposed of accordingly.